

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

Janice Kucskar
(SSN: XXX-XX-0303)

Debtor.

Hearing Date: July 26, 2012
Hearing Time: 1:00PM
Hearing Location: Albany

Case No. 12-10976
Chapter 13

TRUSTEE'S OBJECTION TO CONFIRMATION

Andrea E. Celli, Chapter 13 Standing Trustee for the Northern District of New York

(the "Trustee") states the following as and for her objection to confirmation of the Chapter 13

Plan. The Debtor filed the petition for relief on Apr 11, 2012. The Proposed Plan is as follows:

Start	Periods	Amount	Type
05/01/2012	36.00	\$300.00	MONTHLY

The Trustee objects to the confirmation of the proposed plan and submits that the plan does not meet the requirements for confirmation under 11 U.S.C. 1322, 1325 as follows:

DISPOSABLE INCOME: The Debtor has failed to provide for the submission of all disposable income, pursuant to 11 U.S.C. Section 1325(b)(1)(B):

-Agreement to minimum disposable income x 60 for unsecured creditors

-Substantiate additional expense(s) claim on Form B22C (means test), line(s):
29

-Current monthly income analysis, including supporting
documentation

INFORMATION NEEDED: The Trustee cannot determine if all provisions of 11 U.S.C.

§ 1325 have been met and requests additional information to assist in her determination, as

follows:

--Agreement to 60 month term

WHEREFORE, the Trustee respectfully requests that this Court issue an Order denying confirmation of the plan or briefly adjourning the hearing on confirmation to allow the movant to resolve the objection contained herein.

Respectfully Submitted,

ANDREA E. CELLI, CHAPTER 13 TRUSTEE

By:/s/

Andrea E. Celli, Chapter 13 Trustee

7 Southwoods Blvd.

Albany, NY 12211

(518) 449-2045

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IN RE: Janice Kucskar

AFFIDAVIT OF SERVICE

Case No.: 12-10976

Debtor

SHARON MCGUIRE, BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS OVER THE AGE OF 18 YEARS; THAT SHE SERVED A COPY OF **TRUSTEE'S OBJECTION TO CONFIRMATION** DATED JULY 09, 2012 ON THE FOLLOWING MANNERS: ON JULY 09, 2012.

VIA ELECTRONIC FILING:

Office of the United States Trustee
74 Chapel Street
Albany, NY 12207

MICHAEL J. O'CONNOR, ESQ.
% O'CONNOR, O'CONNOR, ETAL
20 CORPORATE WOODS BLVD
ALBANY, NY 12211

VIA REGULAR U.S. MAIL

Janice Kucskar
3714 Oak Hill Circle
Rensselaer, NY 12144

BY DEPOSTING A TRUE AND CORRECT COPY OF THE SAME PROPERLY ENCLOSED IN A POST-PAID WRAPPER IN THE OFFICIAL DEPOSITORY MAINTAINED AT 7 SOUTHWOODS PLAZA, ALBANY, NEW YORK DIRECTED TO SAID PERSON(S), AT SAID ADDRESSES.

/s/ SHARON MCGUIRE

SHARON MCGUIRE

Sworn before me this
9th day of July, 2012

/s/ Sandra Spring

Reg. # 4955344

Notary Public - State of NY

Qualified in Rensselaer County

My Comission Expires 08/28/2013